

PLANNING DIVISION

TIER 2 TEMPORARY USE PERMIT

Department of Community and
Economic Development



PROJECT NUMBER: LUA14-000948, TP

PROJECT NAME: Liberty Gardens Model TUP

PROJECT MANAGER: Angelea Wickstrom, Assistant Planner

APPLICANT: SSHI LLC DBA D.R. Horton
12910 Totem Lake Blvd NE 220
Kirkland, WA 98034

OWNER: SSHI LLC DBA D.R. Horton
12910 Totem Lake Blvd NE 220
Kirkland, WA 98034

LOCATION: South of SE 139th Court between 162nd Ave SE and 164th Ave SE Renton 98059

DATE OF DECISION: August 26, 2014

DATE OF EXPIRATION: August 26, 2015

DESCRIPTION: The applicant is proposing to construct five model homes in the Liberty Gardens subdivision prior to the recording of the final plat. RMC 4-9-240D.2 allows for the construction (prior to recording of the plat) of the lesser of five model homes or 20% of the total number of lots with a Tier II Temporary Use Permit. The subdivision of the 8.95 acre site would result in 36 - lots used for the eventual development of single family residences; with tracts for recreation, stormwater, joint use driveways, and sensitive areas. Twenty percent of the 36 total lots would equal approximately 7 lots. This percentage is greater than the 5 maximum allowed model homes according to RMC 4-9-240D.2, therefore the applicant can build a total of 5 model homes. The homes will be built on future lots 1-5. Access to the lots would be provided via three new internal streets extending from 162nd Ave SE and connecting to 164th Ave SE. The Liberty Gardens Preliminary Plat application was originally filed with the King County Department of Development and Environmental Services (LUA08-093). The project site is located within the City's Residential - 4 (R-4) dwelling units per acre zoning designation; however, the project is vested to King County's R-4 zoning designations development regulations. Staff recommends as condition of approval that only five single family building permits shall be issued for Liberty Gardens subdivision prior to recording of the final plat, regardless of what the underlying lots allow. Comments were received from Engineering Review and the Fire Department (attached) which recommend as conditions of approval that all model homes be connected to water, sewer, and storm before building permits are final and that the applicant provide approved access and fire hydrants prior to construction.

The Temporary Use Permit is hereby approved and subject to the following conditions:

***CONDITIONS OF APPROVAL:**

1. The applicant shall provide a notarized original abatement agreement form, as provided by the City. The agreement assures the temporary use will ultimately be removed as required by the terms of the permit. The applicant shall also provide an original signed Release and Indemnification Agreement as well. Both agreements shall be provided to the Current Planning Project Manager prior to building permit approval.
2. Only five single family building permits shall be issued for Liberty Gardens subdivision prior to recording of the final plat, regardless of what the underlying lots allow.
3. All model homes shall be connected to water, sewer, and storm before building permits are final.
4. Applicant shall provide approved access and fire hydrants prior to construction of model homes. Identification of such access and hydrants shall be provided with the building permit application for review and approval by the Planning Division Project Manager and the Fire Plans Reviewer.
5. The proposed lot lines for the model homes Lots (1 – 5) shall be staked and strung to ensure proper assessment of setbacks prior to construction of model homes.

SIGNATURE:



Jennifer Henning, Planning Director

August 26, 2014

Date

RECONSIDERATION: Within 14 days of the decision date, any party may request that the decision be reopened by the approval body. The approval body may modify his decision if material evidence not readily discoverable prior to the original decision is found or if he finds there was misrepresentation or fact. After review of the Reconsideration request, if the approval body finds sufficient evidence to amend the original decision, there will be no further extension of the appeal period. Any person wishing to take further action must file a formal appeal within the 14-day appeal time frame.

APPEALS: Appeals of the permit issuance must be filed in writing on or before 5:00 p.m. on September 09, 2014. Appeals must be filed in writing together with the required fee with Hearing Examiner c/o City Clerk, City of Renton, 1055 S Grady Way, Renton, WA, 98057. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, 425-430-6510.

EXPIRATION: A Temporary Use Permit is valid for up to one year from the effective date of the permit, unless the Community & Economic Development Administrator or designee establishes a shorter time frame or an applicant can request that a permit be valid beyond the one year expiration, for up to five years at the time of application or prior to permit expiration.

EXTENSIONS: Extension requests do not require additional fees and shall be requested in writing prior to permit expiration to the Department of Community & Economic Development Administrator.

**Project Narrative and Construction Mitigation Description
Model Home Proposal for Plat of Liberty Gardens
City of Renton File No. LUA 08-093**

The following is a narrative providing a description of the proposed model home proposal for D.R. Horton on the Plat of Liberty Gardens.

PROJECT NARRATIVE

- *Project name, size, and location of site.*

The Plat of Liberty Gardens is 8.95 acres in size. The site is fronted on the east and west by unimproved rights of way 162nd Avenue SE and 164th Avenue SE. The proposal is to construct 5 model homes on Lots 1-5 of the project.

- *Land use permits required for proposed project.*
 1. Tier 2 Temporary Use Permit
 2. Building Permits
- *Zoning designation of the site and adjacent properties.*

The following is the zoning designation for the site:

City of Renton: R-4 Residential-Low Density (Liberty Gardens project is vested to the 2004 R-4 development standards and the Urban Residential Comprehensive Plan Designation of King County).

The following is the neighborhood zoning and characteristics:

North:	Single-family subdivision of Cavalla (R-4 zone)
East:	Maplewood Heights Park (King County-Parks)
South:	Existing single-family residential (R-4 zone)
West:	Existing single-family residential (R-4 zone)

- *Current use of the site and any existing improvements.*

The site is currently under construction with new roadways, storm and utility improvements in accordance with the approved construction plans.

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- *Special site features (i.e., wetlands, water bodies, steep slopes).*

There is an adjacent offsite wetland located on the west side of the 162nd Ave SE right of way. The SW corner of the property has a wetland/stream that will be preserved within a native growth protection area.

- *Statement addressing soil type and drainage conditions.*

The *Geologic Map of King County* by Derek B. Booth, Kathy A. Troost & Aaron P. Wisher (2007), maps the site as Vashon Till (Qvt). The geotechnical engineering report prepared for the site included test pits that were completed on the site and provided construction recommendations for foundations, drainage, utilities and pavement.

- *Proposed use of the property and scope of the proposed development.*

The Plat of Liberty Gardens is currently under construction for 36 single-family detached residences with proposed tracts for stormwater, recreation, and joint use tracts. The specific proposal under this application is to allow construction of five (5) model homes on Lots 1-5.

- *For plats indicate the proposed number, net density, and range of sizes (new lot area) of new lots.*

The Plat of Liberty Gardens has been designed to utilize standard front load single-family residences totaling 36 lots. The lots will range in size from approximately 5,000 square feet to 11,000 square feet. The model home lots range in size from 5,000 square feet to 6,000 square feet. Access to the model home lots will be provided from SE 140th Street that will be completed as part of the Liberty Gardens site construction.

- *Access.*

162nd Avenue SE provides access to the overall project site and SE 140th Street will provide access to the model home lots.

- *Proposed off-site improvements (i.e., installation of sidewalks, fire hydrants, sewer main, etc.).*

The project will construct a portion of 162nd Ave SE roadway within existing right of way including curb/gutter/sidewalk. An additional 5' of right of way will be dedicated along 164th Ave SE with roadway improvements along the property frontage including curb/gutter/sidewalk. New storm lines, water lines and sewer lines will be installed in association with the Liberty Gardens development.

- *Total estimated construction cost and estimated fair market value of the proposed project.*

The estimated construction (hard and soft costs) will range from \$65,000 per lot or approximately \$2,340,000 total. The estimated finished lot value is estimated to range from \$140,000 to \$160,000 per lot.

- *Estimated quantities and type of materials involved if any fill or excavation is proposed.*

The majority of the earthwork required for the infrastructure and lots is currently being installed. The estimated amount of earthwork required for construction of the five (5) model homes is 300-400 cubic yards.

- *Number, type, and size of any trees to be removed.*

All existing trees other than the trees contained within the critical area tract and buffer have been removed from the site as part of the roadway, utility and earthwork construction. Trees and additional landscaping will be installed per the approved landscaping plans. No trees will be removed for construction of the proposed model homes.

- *Explanation of any land to be dedicated to the City.*

As part of the final plat process the proposed public roads within the project will be dedicated to the city as well as 5' of additional right of way along 164th Ave SE.

- *Any proposed job shacks, sale trailers, and/or model homes.*

Yes, there is a construction job shack, sales trailer and proposed model homes.

- *Any proposed modifications being requested (include written justification).*

There are no proposed modifications being requested as part of the model home proposal.

- *Distance and feet from the wetland or stream to the nearest area of work.*

There is an adjacent offsite wetland located approximately 50' west of lot 1. Lots 1-5 area approximately 250' north of the critical area tract located on the SW corner of the Liberty Gardens project.

- *An explanation of proposed access/roadway construction, temporary erosion control, utilities, street and lot addressing.*

Construction of SE 140th Street road improvements, including sewer, water, storm, power, etc. and improvements to 162nd Ave SE are currently being constructed to provide access and utilities to the proposed model home lots. Temporary erosion control measures are currently in place and being maintained as part of the project construction.

- *Proposed security devices for removal of model homes if plat is not recorded.*

If required, the applicant can provide a bond as a security measures.

- *The quantity of Model Homes, demonstrating that it is five (5) or less, as well as less than twenty (20) percent of the total lots.*

The total number of model homes proposed as part of this application is five (5) which are also less than twenty (20) percent of the total 36 lots being developed by the project.

CONSTRUCTION MITIGATION DESCRIPTION

- Proposed construction dates (begin and end dates).

The proposed start date for the model home construction is August/September 2014 and the estimated completion date is December 2014/January 2015.

- Hours and days of operation.

Monday through Friday (7 AM to 6 PM, depending on weather conditions).

- Proposed hauling/transportation routes.

Access to the site for construction materials is anticipated to be from NE 4th Street to 160th Avenue SE to 136th Avenue then to 162nd Avenue SE.

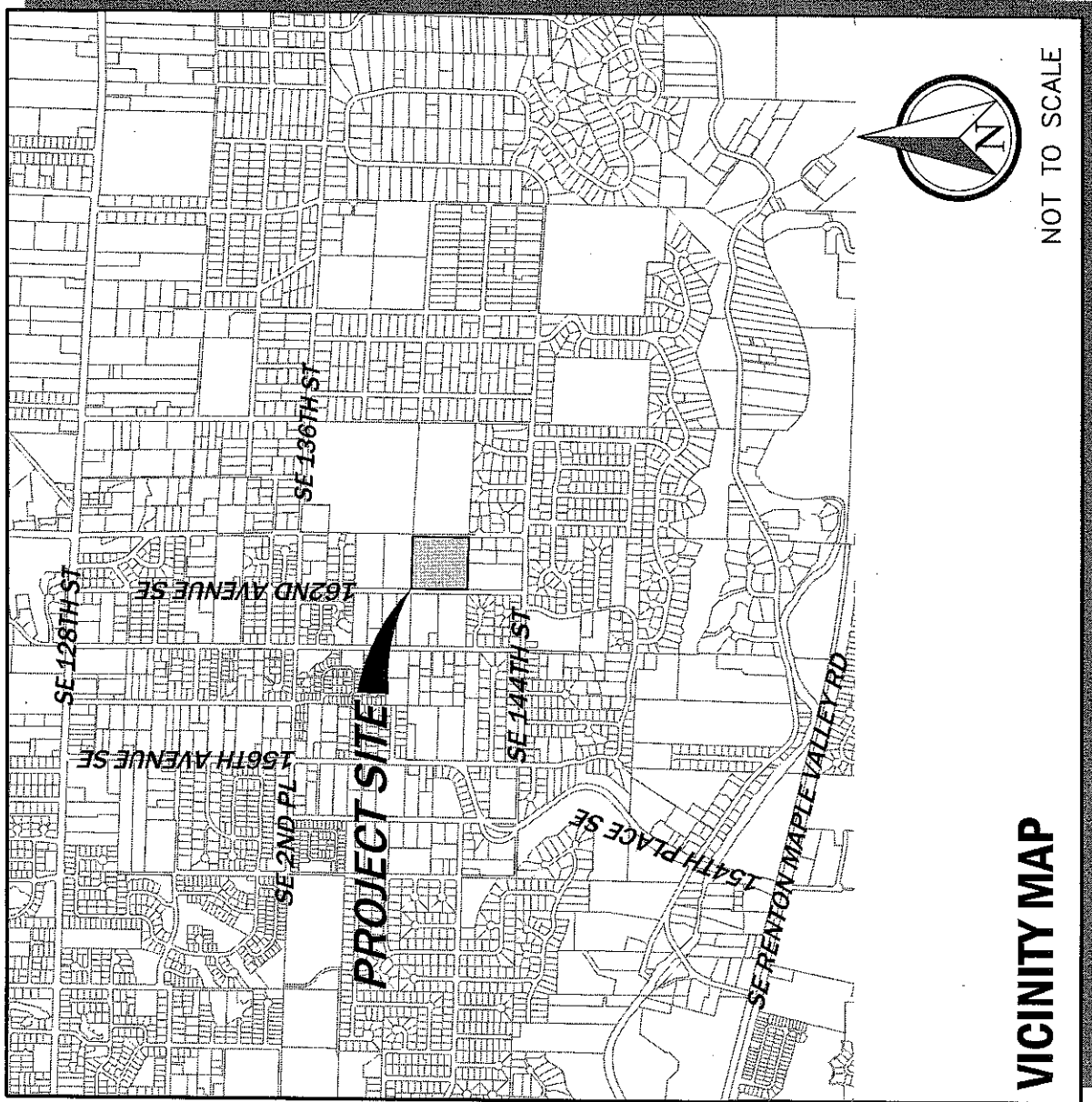
- Measures to be implemented to minimize dust, traffic, etc.

Measures currently being implemented and constructed as part of the project will provide mitigation for dust, traffic and transportation impacts.

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PLAN ADDRESS:**APPLICATION DATE:** 07/18/2014

DESCRIPTION: The applicant is proposing to construct five model homes in the Liberty Gardens subdivision prior to the recording of the final plat. RMC 4-9-240D.2 allows for the construction (prior to recording of the plat) of the lesser of five model homes or 20% of the total number of lots with a Tier II Temporary Use Permit. The subdivision of the 8.95 acre site would result in 36 - lots used for the eventual development of single family residences; with tracts for recreation, stormwater, joint use driveways, and sensitive areas. 20% of the 36 total lots would equal approximately 7 lots. This percentage is greater than the 5 maximum allowed model homes according to RMC 4-9-240D.2, therefore the applicant can build a total of 5 model homes. The homes will be built on future lots 1-5. Access to the lots would be provided via three new internal streets extended from 162nd Ave SE connecting to 164th Ave SE. The Liberty Gardens Preliminary Plat application was originally filed with the King County Department of Development and Environmental Services (LUA08-093). The project site is located within the City's Residential - 4 (R-4) dwelling units per acre zoning designation; however, the project is vested to King County's R-4 zoning designations development regulations. Staff recommends as condition of approval that only five single family building permits shall be issued for Liberty Gardens subdivision prior to recording of the final plat, regardless of what the underlying lots allow. Plan review recommends as condition of approval that all model homes shall be connected to water, sewer, and storm before building permits are finale. Fire review recommends as condition of approval that applicant provide approved access and fire hydrants prior to construction.

Engineering Review

Jan Illian Ph: 425-430-7216 email: jillian@rentonwa.gov

Recommendations: Approval is subject to the condition that all model homes shall be connected to water, sewer, and storm before building permits are finalized.

Fire Review - Building

Corey Thomas Ph: 425-430-7024 email: cthomas@rentonwa.gov

Recommendations: Code related comments:

1. Provide approved access and fire hydrants prior to construction.